communication apparatus at the calling station.

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24. (Twice Amended) A method according to Claim 18, wherein the ID information received in said reception step is a telephone number of the communication apparatus at the calling station.

REMARKS

This application has been reviewed in light of the Office Action dated July 5, 2000. Claims 1-24 remain pending in this application, with Claims 1, 4, 6-9, 11, 13, and 18-24 having been amended to define more clearly what Applicant regards as his invention. Claims 1, 6, 11, and 18 are in independent form. Favorable reconsideration is requested.

The Office Action rejected Claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,661,568 (Ueno) in view of U.S. Patent No. 5,471,522 (Sells et al.). Applicant submits that independent Claims 1, 6, 11, and 18, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is directed to a communication apparatus capable of

executing a plurality of kinds of communication protocols. The apparatus includes a detector circuit for detecting ID information used to identify a communication apparatus at a calling station before communication starts with the communication apparatus at the calling station. The apparatus also includes a memory for storing information of a communication system of the communication apparatus at the calling station in association with the ID information of the communication apparatus at the calling station. When communication is to be conducted in response to a calling signal, a control circuit of the communication apparatus, according to whether or not the ID information detected by the detector circuit is stored in the memory, conducts communication based on a communication protocol corresponding to the information stored in the memory or conducts communication to determine a communication protocol.

One important feature of Claim 1 is that, according to whether or not ID information detected by the detector circuit is stored in the memory, communication is conducted based on the communication protocol corresponding to information stored in the memory or communication is conducted to determine a communication protocol.

Ueno relates to a data communication apparatus that communicates a protocol signal and a data signal by a high-speed

modem. Ueno discloses that a telephone number of a destination station and its corresponding communication protocol used at the time of calling are stored when a call is made from a calling station, and communication responsive to a calling signal is conducted based on a communication protocol designated by the calling station.

Sells et al., as understood by Applicant, relates to a system for sharing a telephone line for a personal computer. Apparently, Sells et al. teaches the use of a caller ID function for detecting ID information of a calling station. Facsimile communication or speech communication is conducted according to the detected ID information.

Applicant submits that a combination of Ueno and Sells et al., assuming such combination would even be permissible, would fail to teach or suggest a data communication apparatus that includes "a control circuit adapted to conduct communication based on a communication protocol corresponding to the information stored in said memory, or to conduct communication to determine a communication protocol, according to whether or not the ID information detected by said detector circuit is stored in said memory, when communication is to be conducted in response to a calling signal," as recited in Claim 1.

Applicant submits that, at most, the cited combination would result in a apparatus that stores a telephone number of a destination station and the corresponding communication protocol used when a call is made from a calling station. The apparatus would conduct communication responsive to a calling signal based on a communication protocol designated by the calling station, and the apparatus would include a caller ID function for detecting ID information of the calling station, to determine whether facsimile communication or speech communication is to be conducted.

Applicant submits, however, that this hypothetical combination would not include the feature of either conducting communication based on a communication protocol corresponding to information stored in a memory or conducting communication to determine a communication protocol, depending on whether or not ID information detected by a detector circuit is stored in the memory, because the cited references fail to even suggest to one of ordinary skill in the relevant art the benefits of such a feature.

Accordingly, Applicant submits that Claim 1 is patentable over the cited art, and respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claim 6 is a method claim corresponding

to apparatus Claim 1, and is believed to be patentable for at least the same reasons as discussed above in connection with Claim 1. Additionally, independent Claims 11 and 18 include a feature similar to what is discussed above in connection with Claim 1, in which communication is conducted based on a communication protocol corresponding to received ID information or conducted to determine a communication protocol, depending on whether or not ID information is received. Accordingly, Claims 11 and 18 are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

A review of the other art of record has failed to reveal anything that, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as applied against the independent claims herein. Therefore, those claims are respectfully submitted to be patentable over the art of record.

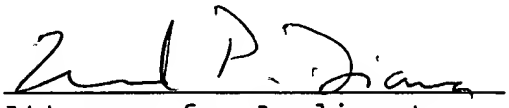
The other rejected claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks,

Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

1. (Twice Amended) A communication apparatus capable of executing a plurality of kinds of communication protocols, said apparatus comprising:

[a first data modem;

a second data modem;

a first protocol modem;

a second protocol modem, wherein the plurality of kinds of communication protocols include a first communication protocol, for setting an operation mode of said first data modem to communicate image data by using said first protocol modem to communicate protocol signals, and a second communication protocol, for setting said second data modem to communicate image data by using said second protocol modem to communicate protocol signals;

a first detector circuit adapted to detect a call signal;]

a [second] detector circuit adapted to detect ID information[,] for identifying a communication apparatus at a calling station[, sent between call signals] <u>before a start of</u>

communication with the communication apparatus at the calling station;

a memory [for storing] adapted to store information of a communication system of the communication apparatus at the calling station in association with the ID information of the communication apparatus at the calling station; and

a [reading] control circuit adapted to [read the information of the] conduct communication [system of the] based on a communication [apparatus at the calling station from said memory in accordance with the ID information of the communication apparatus at the calling station detected by said second detector circuit at a time of detection of the call signal, and to conduct communication] protocol corresponding to the [call signal detected by said first detector circuit, based on a communication protocol corresponding to the information as read] information stored in said memory, or to conduct communication to determine a communication protocol, according to whether or not the ID information detected by said detector circuit is stored in said memory, when communication is to be conducted in response to a calling signal.

4. (Twice Amended) A communication apparatus according to Claim 1, wherein the communication system changes with a type

of modem used by said communication apparatus.

6. (Twice Amended) A communication method capable of executing a plurality of kinds of communication protocols, [including a first communication protocol, for setting an operation mode of a first data modem to communicate image data by using a first protocol modem to communicate protocol signals, and a second communication protocol, for setting a second data modem to communicate image data by using a second protocol modem to communicate protocol signals,] said method comprising:

[a first detection step of detecting a call signal;]

a [second] detection step of detecting ID information[,] for identifying a communication apparatus at a calling station[, sent between call signals] before a start of communication with the apparatus at the calling station;

a memory step of storing in a memory information of a communication system of the communication apparatus at the calling station in association with the ID information of the communication apparatus at the calling station; and

a control step of [reading the information of the communication system for detected information of the communication apparatus at the calling station from said memory in accordance with the ID information of the communication

apparatus at the calling station detected in said second detection step at a time of detection of the call signal, and] conducting communication based on a communication protocol corresponding to the [call signal detected in said first detection step, based on a communication protocol corresponding to the information as read] information stored in the memory, or conducting communication to determine a communication protocol, according to whether or not the ID information detected in said detection step is stored in the memory, when communication is to be conducted in response to a calling signal.

7. (Twice Amended) A communication method according to Claim 6, further comprising:

a registration step of registering the ID information of the communication apparatus at the calling station and the information of the communication system in the memory in accordance with the communication protocol.

8. (Twice Amended) A communication method according to Claim 7, wherein the ID information for identifying the communication apparatus at the calling station is telephone number information, and said registration step [of registering] stores the information of the communication system in the memory,

when calling is selected for the telephone number information, such that the information of the communication system of the communication apparatus at the calling station is stored in the memory in association with the telephone number information sent between call signals.

9. (Twice Amended) A communication method according to Claim 6, wherein the communication system changes with a type of modem used with said method.

11. (Twice Amended) A communication apparatus capable of executing a plurality of types of communication protocols for image communication, said apparatus comprising:

[a detector circuit adapted to detect reception of a call signal;]

a receiver circuit adapted to receive ID information for identifying a communication apparatus at a calling station before a start of communication of a protocol signal relating to image communication;

[a selection circuit adapted to select, based on ID information that is received by said receiver circuit, at least one of the plurality of types of communication protocols in accordance with a detection of the call signal by said detector

circuit;] and

a [communication] control circuit adapted to [perform a] conduct communication [corresponding to the call signal detected by said detector circuit, in accordance with the at least one] based on a communication protocol [selected by said selection circuit] corresponding to the ID information, or to conduct communication to determine a communication protocol, according to whether or not the ID information is received, when communication is to be conducted in response to a calling signal.

13. (Twice Amended) A communication apparatus according to Claim 11, further comprising a memory [for storing] adapted to store, in association with each of a plurality of registered ID information respectively identifying one of a plurality of communication apparatuses at the calling station, a communication protocol that the respective communication apparatuses at the calling station can utilize, wherein said [selection] control circuit selects [the] at least one communication protocol based on the ID information received by said receiver circuit and the registered ID information stored in said memory.

18. (Twice Amended) A control method for controlling a

communication apparatus capable of executing a plurality of types of communication protocols for image communication, said method comprising [the steps of]:

[detecting reception of a call signal;]

a reception step of receiving ID information for identifying a communication apparatus at a calling station before a start of communication of a protocol signal relating to the image communication;

[selecting, based on the ID information that is received in said receiving step after said detecting step detects reception of the call signal, at least one of the plurality of types of communication protocols;] and

[communicating with the] a control step of conducting communication [apparatus at the calling station in accordance with the at least one] based on a communication protocol [selected in said selecting step] corresponding to the ID information, or conducting communication to determine a communication protocol, according to whether or not the ID information is received, when communication is to be conducted in response to a calling signal.

19. (Twice Amended) A method according to Claim 18, wherein said [receiving] reception step receives the ID

information between receiving successive calling signals.

20. (Twice Amended) A method according to Claim 18, further comprising [the] a storage step of storing in a memory, in association with each of a plurality of registered ID information respectively identifying one of a plurality of communication apparatuses at the calling station, a communication protocol that the respective communication apparatuses at the calling station can utilize, wherein said [selection] control step selects [the] at least one communication protocol based on the ID information received in said [receiving] reception step and the registered ID information stored in the memory.

21. (Twice Amended) A method according to Claim 20, further comprising [the] an update step of updating the communication protocols stored in the memory.

22. (Twice Amended) A method according to Claim 21, further comprising [the] a counting step of counting a predetermined time, wherein said [updating] update step updates the communication protocols stored in the memory when said counting step has counted the predetermined time.

23. (Twice Amended) A method according to Claim 21, further comprising [the] a count step of counting a number of communications performed by the communication apparatus to each communication apparatus at the calling station corresponding to the respective registered ID information stored in the memory, wherein said [updating] update step updates the respective communication protocol for each communication apparatus when said [counting] count step has counted a predetermined number of communications for that communication apparatus at the calling station.

24. (Twice Amended) A method according to Claim 18, wherein the ID information received in said [receiving] reception step is a telephone number of the communication apparatus at the calling station.

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